

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : WAIVER OF INDICTMENT
:
v. :
: Crim. No. 13-193 (SDW)
COLUMBIA SHIPMANAGEMENT :
LTD. :
:
:

I, DIRK FRY, Managing Director and authorized representative for COLUMBIA SHIPMANAGEMENT LTD. (hereinafter, "CSM-CY"), the above-named defendant who is charged with:

1) by and through the acts of its agents and employees, acting within the scope of their agency and employment and with the intent to benefit defendant CSM-CY, knowingly failing to maintain an Oil Record Book (Part I) for the *M/T Nordic Passat* in which all disposals of oil residue, overboard discharges and disposals otherwise of oily mixtures, slops from bilges and bilge waste that accumulated in machinery space, were fully recorded, in violation of Title 33, United States Code, Section 1908(a) and Title 33, Code of Federal Regulations, Section 151.25;

2) by and through the acts of its agents and employees, acting within the scope of their agency and employment and with the intent to benefit defendant CSM-CY, knowingly failing to maintain an Oil Record Book (Part II) for the *M/T Nordic Passat* cargo operations in which all internal transfers and disposals otherwise of oil residue, and disposals otherwise of oily mixtures, slops from bilges and bilge waste that accumulated in machinery space, were fully recorded, in violation of Title 33, United States Code, Section 1908(a) and Title 33, Code of Federal Regulations, Section 151.25;

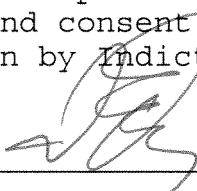
3) by and through the acts of its agents and employees, acting within the scope of their agency and employment and with the intent to benefit defendant CSM-CY, corruptly influencing, obstructing, and impeding, and endeavoring to influence, obstruct, and impede, the due and proper administration of the law under a pending proceeding

by the Coast Guard and the Department of Homeland Security, namely, an inspection of the *M/T Nordic Passat* to determine the vessel's compliance with United States law, in violation of Title 18, United States Code, Section 1505; and

4) by and through the acts of its agents and employees, acting within the scope of their agency and employment and with the intent to benefit defendant CSM-CY, with the intent to impede, obstruct, and influence the investigation and proper administration of a matter within the jurisdiction of a department and agency of the United States, namely, the Coast Guard and the Department of Homeland Security, and in relation to and in contemplation of such matter, namely, an inspection of the *M/T Nordic Passat* to determine the vessel's compliance with United States law, knowingly concealing, covering up, and falsifying, and making false entries in a record and document, namely, an Oil Record Book (Part I) for the *M/T Nordic Passat*, in violation of Title 18, United States Code, Section 1519.

having been advised of the nature of the charges, the proposed Information, and of my rights, hereby waive in open court on March 18, 2013, prosecution by Indictment, and consent that the prosecution may be by Information rather than by Indictment.

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Dirk Fry
Managing Director
CSM-CY
Defendant



Thomas L. Mills, Esq.
Counsel for Defendant

Before:



United States District Judge